

Homeland Security Committee Jurisdiction **A Common Sense Approach**

Why do we need a new Homeland Security Committee?

- Establishing jurisdiction for the new Homeland Security Committee in the 109th Congress must be done right or not at all. To most effectively prevent terrorist attack, the new Homeland Security Committee must have authority over Department of Homeland Security anti-terrorism programs. Primary jurisdictional authority is essential if the House of Representatives is effectively to meet its legislative and oversight responsibilities with respect to homeland security programs and activities, particularly those of DHS. The currently diffused and unfocused congressional jurisdiction over DHS, and homeland security in general, not only imposes extraordinary burdens on the Department, but it makes it far more difficult for the Congress to fulfill its obligations to guide DHS in a consistent and focused way that advances implementation of an effective and coherent homeland security strategy.
- Congress's current structural disarray is counterproductive and unsustainable. Congress dilutes its own influence and burdens the Department by perpetuating an antiquated and inefficient status quo. When it comes to homeland security, Congress needs to speak with one voice.

What authority should the Homeland Security Committee have?

- The new Homeland Security Committee should consolidate within a single committee, jurisdiction over: (1) the *homeland security* missions of the Department of Homeland Security (such as sharing terrorist threat-related information and warnings; protecting America's critical infrastructure; border, port, and transportation security; immigration enforcement; risk assessment; emergency preparedness; and science and technology; and (2) other homeland security-related efforts to prevent, prepare for, and respond to acts of terrorism within the United States. This *common sense simplification* will permit the Committee on Homeland Security to provide sustained and consistent Congressional attention to the critical mission of protecting our nation from terrorist attacks.

Why is it important for Congress to reorganize itself and give broad authority to the new Homeland Security Committee?

- Without strong and primary jurisdictional authority, the new committee that will only add to the current long list of committees with jurisdiction over DHS will create only more bureaucracy and even less accountability. We must not fight today's war on terror with the last century's world view. The current, fragmented congressional committee structure did little to detect or protect against the now obvious gaps in our homeland security posture. To leave it in place is to court another disaster. We've undergone the single largest reorganization of the executive branch since World War II, and Congress needs to continue do its part, too. Congress needs to stop fighting amongst itself over turf and to start fighting the terrorists who mean to kill us all.

Who supports broad jurisdictional authority for the new committee?

- The President, current and former congressional leaders (including former Speakers of the House Foley and Gingrich), the 9/11 Commission, and nearly every “think tank” that addresses national security-related issues have all said that the Committee on Homeland Security must have broad authority (i.e., not limited just to DHS functions) to ensure a holistic, national approach to securing the American homeland.

What changes are necessary to give the new Homeland Security Committee the tools it needs to protect the nation?

- The Homeland Security Committee submitted a proposal on September 30, 2004, which would realign congressional jurisdiction based squarely on the homeland security mission assigned to the Department by the Homeland Security Act. The consolidation of congressional jurisdiction to conduct oversight and to legislate with respect to the homeland security mission will require allocation of jurisdiction to the Homeland Security Committee in the Rules of the House. Such an addition will have little effect on the jurisdiction of most other committees of the House.
- As a result of the jurisdictional changes, the Homeland Security Committee will have exclusive or primary legislative jurisdiction over all aspects of DHS, *except* Federal management of natural disasters, the *non*-homeland security missions of the Coast Guard, and immigration and naturalization matters *not related to homeland security*.
- This authority will make the Homeland Security Committee the primary authorizing committee for DHS. This means that there will be one Committee that has the primary responsibility to ensure that DHS is doing all that it can to protect our nation against terrorist attack.

Why would anyone oppose a strong Homeland Security Committee?

- Those who oppose this effort will probably do so to protect their traditional power bases within the Congress. They have grown used to the influence they wield, and want to preserve it. But to do that where homeland security is concerned, they must defend jurisdiction allocated long before anyone had ever thought of “homeland security,” as such. Existing committees have a wide variety of responsibilities reflected in their own jurisdiction. They could not possibly concentrate their efforts exclusively on the homeland security mission the way the new Homeland Security Committee will. It will be an historic lost opportunity if congressional fiefdoms and concentrations of special interests prevent the necessary consolidation of congressional efforts to guide and enhance our homeland security policies and programs. Protecting congressional turf may preserve power and influence, but it will do nothing to protect the nation.